

BEFORE THE ARIZONA POWER PLANT  
AND TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE  
APPLICATION OF DCR  
TRANSMISSION, L.L.C. OR ITS  
ASSIGNEES, IN CONFORMANCE  
WITH THE REQUIREMENTS OF A.R.S.  
§ 40-360 et. seq., FOR A CERTIFICATE  
OF ENVIRONMENTAL  
COMPATIBILITY AUTHORIZING THE  
500 KV TRANSMISSION LINE, WHICH  
INCLUDES THE CONSTRUCTION OF  
A NEW 125 MILE 500 KV  
TRANSMISSION LINE BETWEEN  
ARIZONA PUBLIC SERVICE  
COMPANY'S DELANEY SUBSTATION  
UNTIL SOUTHERN CALIFORNIA  
EDISON'S COLORADO RIVER  
SUBSTATION, TO BE REFERRED TO  
AS THE TEN WEST LINK PROJECT.

Arizona Corporation Commission

Docket No. L-21088A-19-0309-00185

Case No. 185

Arizona Corporation Commission

DOCKETED

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**CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY**

**A. Introduction**

Pursuant to notice given as provided by law, the Arizona Power Plant and Transmission Line Siting Committee ("Committee") held public hearings on January 22, 2020 through February 7, 2020 in Phoenix, Arizona, and Quartzite, Arizona in conformance with the requirements of the Arizona Revised Statute ("A.R.S.") §§ 40-360 et seq. for the purpose of receiving evidence and deliberating on the December 9, 2019 Application ("Application") of DCR Transmission, L.L.C. ("Applicant" or "DCRT") for a Certificate of Environmental Compatibility ("Certificate" or "CEC") in the above-captioned case ("Project").

The following members and designees of members of the Committee were present at one of the hearings for evidentiary presentations and/or the deliberations:

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1	Thomas Chenal	Chairman, Designee for Arizona Attorney General
2		
3	Leonard Drago	Designee for Director, Arizona Department of
4		Environmental Quality ("ADEQ")
5	John R. Riggins	Designee for Director, Arizona Department of
6		Water Resources ("ADWR")
7	Laurie A. Woodall	Designee of the Chairman, Arizona Corporation
8		Commission ("Commission")
9	Jack Haenichen	Appointed Member, representing the general public
10	Karl Gentles	Appointed Member, representing the general public
11	Mary Hamway	Appointed Member, representing the cities and
12		towns
13	James A. Palmer	Appointed Member, representing agriculture
14	Gilberto Villegas Jr.	Appointed Member, representing counties

15       The Applicant was represented by Meghan Grabel, Kimberly Ruht, and Elias  
16 Ancharski of Osborn Maledon, P.A. The following parties were granted intervention  
17 pursuant to A.R.S. § 40-360.05: Commission Utilities Division Staff and La Paz  
18 County.

19       At the conclusion of the hearings, the Committee, after considering the (i)  
20 Application, (ii) evidence, testimony, and exhibits presented by the Applicant and  
21 intervenors, and (iii) comments of the public, and being advised of the legal  
22 requirements of A.R.S. §§ 40-360 through 40-360.13, upon motion duly made and  
23 seconded, voted 7 to 1 to grant the Applicant, its successors and assigns, this  
24 Certificate for construction of the Ten West Link Project, a 500 kilovolt ("kV")  
25 transmission line as described below.

26       **B.    Overview Project Description**

27       The Project includes the construction and operation of a 500 kV electric  
28 transmission line, associated appurtenances, and infrastructure to run approximately

1 103.5 miles from Arizona Public Service Company's ("APS") Delaney Substation  
2 near Tonopah, Arizona until it crosses the Colorado River into California. The entire  
3 length of the line will be 125.0 miles long, using a combination of existing utility  
4 corridors, the Department of Energy's ("DOE") Energy Corridor, and private and  
5 state land, and will ultimately terminate at Southern California Edison's ("SCE")  
6 Colorado River Substation near Blythe, California.

7 Typical Project design features and details, including structure diagrams  
8 anticipated for the Project, are provided in Exhibit G to the Application.

9 Maps of the Project depicting the approved transmission line corridor are set  
10 forth in Exhibit A and Exhibit B to this CEC.

### 11 **C. CEC Route Description**

12 The Project consists of the construction of a new single-circuit 500 kV  
13 transmission line, a series compensation station, and related infrastructure spanning  
14 from near the town of Tonopah, Arizona to Riverside, California. The Arizona  
15 portion of the Bureau of Land Management ("BLM") Preferred Alternative Route  
16 identified in the Final Environmental Impact Statement ("FEIS") is identical to the  
17 Proposed Route for which DCRT seeks approval in this CEC Application.

18 The length of the Proposed Route within Arizona is approximately 103.5 miles  
19 long. The Proposed Route begins at the APS Delaney Substation near the town of  
20 Tonopah, Arizona, approximately 60 miles west of Downtown Phoenix. It exits the  
21 Delaney substation and goes north of Interstate 10 ("I-10") and then west through the  
22 BLM Utility Corridor and parallels the existing Devers to Palo Verde ("DPV")  
23 transmission line until it intersects I-10 again, approximately 26.7 miles from the  
24 Delaney Substation. From there, the Proposed Route follows the DOE Energy  
25 Corridor for approximately 42.0 miles. Around mile marker 68.7, the Proposed Route  
26 goes south for 10.2 miles (completely avoiding the Kofa National Wildlife Refuge),  
27 and then again follows the DPV transmission line and BLM Utility Corridor and  
28 heads west for 24.6 miles, spanning over Yuma Proving Ground land. Eventually, the

1 line exits Arizona at the Colorado River Crossing around mile marker 103.5 and  
2 terminates at SCE's Colorado River Substation in Riverside County, California. The  
3 Proposed Route crosses lands administered by the BLM, the Department of Defense  
4 ("DOD"), the Bureau of Reclamation ("Reclamation"), and the Arizona State Land  
5 Department ("ASLD"). It also traverses private land.<sup>1</sup>

6 The approved ROW width for the CEC Route in this Certificate is 200 feet.  
7 The ROW will be located within a 4,000-foot corridor (2,000 feet on either side of the  
8 center line, as described and shown in Exhibits A and B attached hereto).

### 9 **CONDITIONS**

10 This Certificate is granted upon the following conditions:

11 1. This authorization to construct the Project shall expire ten (10) years  
12 from the date this Certificate is approved by the Commission, with or without  
13 modification. Construction of the Project shall be complete, such that the line is in  
14 service within this ten-year time frame. However, prior to the expiration of the time  
15 period, the Applicant may request that the Commission extend the time limitation(s).

16 2. In the event that the Project requires an extension of the term(s) of this  
17 Certificate prior to the completion of construction, the Applicant shall file such time  
18 extension request at least one hundred eighty (180) days prior to the expiration date of  
19 the Certificate. The Applicant shall use reasonable means to promptly notify all cities  
20 and towns within a five (5) miles radius of the centerline of the Project and all  
21 landowners and residents within a one (1) mile radius of the centerline of the Project,  
22 all persons who made public comment at this proceeding who provided a mailing or  
23 email address, and all parties to this proceeding. The notification provided will  
24 include the request and the date, time, and place of the hearing or open meeting  
25 during which the Commission will consider the request of extension. Notification  
26

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27 <sup>1</sup> The Proposed Route, including both the California and Arizona portions, traverses through  
28 79.4 miles of BLM land (64%), 1.7 miles of Reclamation land (1%), 0.4 miles of DOD land  
(0%), 18.8 miles of State land (15%), and 24.6 miles of private land (20%).

1 shall be no more than three (3) business days after the Applicant is made aware of the  
2 hearing date or the open meeting date.

3       3. During the development, construction, operation, maintenance, and  
4 reclamation of the Project, the Applicant shall comply with all existing applicable air  
5 and water pollution control standards and regulations, and with all existing applicable  
6 statutes, ordinances, master plans, and regulations of any governmental entity having  
7 jurisdiction, including, but not limited to, the United States of America, the State of  
8 Arizona, Maricopa County, La Paz County, and their agencies or subdivisions,  
9 including but not limited to the following:

- 10               • All applicable land use regulations;
- 11               • All applicable zoning stipulations and conditions, including, but  
12               not limited to, landscaping and dust control requirements;
- 13               • All applicable water use, discharge and /or disposal requirements  
14               of the ADWR and the ADEQ;
- 15               • All applicable noise control standards; and
- 16               • All applicable regulations governing storage and handling of  
17               hazardous chemicals and petroleum products.

18       4. The Applicant shall obtain all approvals and permits necessary to  
19 construct, operate, and maintain the Project required by any governmental entity  
20 having jurisdiction, including but not limited to, the United States of America, the  
21 State of Arizona, Maricopa County, and La Paz County, and their agencies and  
22 subdivisions.

23       5. The Applicant shall comply with the Arizona Game and Fish  
24 Department (“AGFD”) guidelines for handling protected animal species, should any  
25 be encountered during construction and operation of the Project, and shall consult  
26 with AGFD as necessary on other issues concerning wildlife.

27       6. The Project shall be designed to incorporate reasonable measures to  
28 minimize impacts to avian species. Such measures will be accomplished through



1 compliance with the 2006 standards of the Avian Power Line Interaction Committee,  
2 and include the application of recommended measures to minimize the risk of  
3 collision, as described in the 2012 guidelines of the Avian Power Line Interaction  
4 Committee. The application of such standards will be implemented as prescribed by  
5 the June 2019 Biological Assessment attached to the Record of Decision ("ROD").

6         7. If human remains and/or funerary objects are encountered on private  
7 land during the course of any ground-disturbing activities related to the construction  
8 or maintenance of the Project, the Applicant will cease work on the affected area of  
9 the Project and notify the Director of the ASM as required by A.R.S. § 41-865.

10         8. The Applicant shall comply with the notice and salvage requirements of  
11 the Arizona Native Plant Law (A.R.S. §§ 3-901 *et seq.*) and shall, to the extent  
12 feasible, minimize the destruction of native plants during the Project's construction  
13 and operation.

14         9. The Applicant shall make every reasonable effort to promptly  
15 investigate, identify, and correct, on a case-specific basis, all complaints of  
16 interference with radio or television signals from operation of the Project addressed in  
17 this Certificate, and where such interference is caused by the Project, take reasonable  
18 measures to mitigate such interference. The Applicant shall maintain written records  
19 for a period of five (5) years of all complaints of radio or television interference  
20 attributable to operations, together with the corrective action taken in response to each  
21 complaint. All complaints shall be recorded to include notations on the corrective  
22 action taken. Complaints not leading to a specific action or for which there was no  
23 resolution shall be noted and explained. Upon request, the written records shall be  
24 provided to the Staff of the Commission. The Applicant shall respond to complaints  
25 and implement appropriate mitigation measures. In addition, the Project shall be  
26 evaluated on a regular basis so that damaged insulators or other line materials that  
27 could cause interference are repaired or replaced in a timely manner.

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1           10.    Within one hundred twenty (120) days of the Commission's decision  
2 approving this Certificate, the Applicant will post signs in or near public rights-of-  
3 way giving notice of the Project corridor to the extent authorized by law. Applicant  
4 shall place such signs in prominent locations at reasonable intervals so that the public  
5 is notified along the full length of the Project until the transmission structures are  
6 constructed. To the extent practicable, within forty-five (45) days of securing  
7 easements or rights-of-way for the Project, the Applicant shall erect and maintain  
8 signs providing public notice that the property is the site of a future transmission line  
9 or substation. Such signage shall be no smaller than a roadway sign. The signs shall  
10 advise:

- 11                   •       Future site of Ten West Link transmission line.
- 12                   •       A phone number and website for public information regarding  
13                           the Project.
- 14                   •       Refer the Public to the Docket Control Website:  
15                           <https://edocket.azcc.gov/Search/DocketDetailSearch>

16           Such signs shall be inspected at least once annually and, if necessary, be  
17 repaired or replaced, and removed at the completion of construction.

18           11.    The Applicant shall continue to use reasonable efforts to discuss and  
19 negotiate in good faith with private landowners, on whose property the Project  
20 corridor is located, the specific location for the Project's right-of-way and placement  
21 of poles. A copy of this Certificate shall be provided to private landowners and a  
22 description of the good faith efforts and discussions shall be included in the annual  
23 compliance-certification letter.

24           12.    The Applicant will pursue reasonable efforts to work with private  
25 landowners on whose property the Project will be located, to mitigate the impacts of  
26 the location, construction, and operation of the Project on private land and negotiate  
27 such right-of-way agreements in good faith.

28    ///

1           13. Any such right-of-way agreement shall, where practicable and after  
2 consultation with the landowner, require the Applicant, at a minimum to (a) use  
3 existing roads for construction and access; (b) minimize impacts to wildlife; (c)  
4 minimize vegetation disturbance outside the Project right-of-way, particularly in  
5 drainage channels and along stream banks; and (d) revegetate native areas following  
6 construction disturbances unless revegetation is waived by the landowner. At least  
7 ninety (90) days before construction commences on the Project, the Applicant shall  
8 provide counties, cities and towns within five (5) miles of the Project (La Paz County,  
9 Maricopa County, and the Town of Quartzsite) as well as known homebuilders and  
10 developers who are building upon or developing land within one (1) mile of the  
11 centerline of the transmission line, with a written description of the Project, including  
12 height and width measurements of all structure types. The written description shall  
13 identify the location of the Project and contain a pictorial depiction of the facilities  
14 being constructed. The Applicant shall also encourage the developers and  
15 homebuilders to include this information in their disclosure statements.

16           14. Non-specular conductor and non-reflective surfaces shall be used for the  
17 Project's transmission line structures.

18           15. The Applicant shall be responsible for arranging that all field personnel  
19 involved in the Project receive training as to proper ingress, egress, and on-site  
20 working protocol for environmentally sensitive areas and activities. Contractors  
21 employing such field personnel shall maintain records documenting that the personnel  
22 have received such training.

23           16. The Applicant will follow the most current Western Electricity  
24 Coordinating Council ("WECC") and North American Electric Reliability  
25 Corporation ("NERC") planning standards, as approved by the Federal Energy  
26 Regulatory Commission ("FERC"), and National Electrical Safety Code ("NESC")  
27 construction standards and Federal Aviation Administration ("FAA") regulations.

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1           17. The Applicant shall participate in good faith in state and regional  
2 transmission study forums to coordinate transmission expansion plans related to the  
3 Project and to resolve transmission constraints in a timely manner.

4           18. When Project facilities are located parallel to and within one hundred  
5 (100) feet of any existing natural gas or hazardous pipeline, the Applicant shall:

- 6           • Ensure grounding and cathodic protection studies are performed  
7 to show that the Project's location parallel to and within one  
8 hundred (100) feet of such pipeline results in no material adverse  
9 impacts to the pipeline or to public safety when both the pipeline  
10 and the Project are in operation. The Applicant shall take  
11 appropriate steps to ensure that any material adverse impacts are  
12 mitigated. The Applicant shall provide to the Commission Staff  
13 and file with Docket Control a copy of the studies performed and  
14 additional mitigation, if any, that was implemented as part of its  
15 annual compliance certification letter; and
- 16           • Ensure that studies are performed simulating an outage of the  
17 Project that may be caused by the collocation of the Project  
18 parallel to and within one hundred (100) feet of the existing  
19 natural gas or hazardous liquid pipeline. The studies should  
20 either: (a) show that such simulated outage does not result in  
21 customer outages; or (b) include operating plans to minimize any  
22 resulting customer outages. The Applicant shall provide a copy  
23 of the study results to the Commission Staff and file them with  
24 Docket Control as part of its annual compliance certification  
25 letter.

26           19. The Applicant shall submit a compliance certification letter annually,  
27 identifying progress made with respect to each condition contained in this Certificate,  
28 including which conditions have been met. Each letter shall be submitted to

Commission's Docket Control commencing on February 1, 2021. Attached to each certification letter shall be documentation explaining how compliance with each condition was achieved. Copies of each letter, along with the corresponding documentation, shall be submitted to the Arizona Attorney General's Office. The requirement for the compliance certification letter shall expire on the date the Project is placed into operation. Notification of such filing with Docket Control shall be made to the Boards of Supervisors of Maricopa County and La Paz County, ASLD, AGFD, SHPO, BLM, the Town of Quartzsite, all parties to this Docket, and all parties who made a limited appearance in this Docket.

20. The Applicant shall provide copies of this Certificate to the Boards of Supervisors of Maricopa County, La Paz County, ASLD, AGFD, SHPO, BLM, the Town of Quartzsite, all parties to this Docket, and all parties who made a limited appearance in this Docket.

21. Any transfer or assignment of this Certificate shall require the assignee or successor to assume, in writing, all responsibilities of the Applicant listed in this Certificate and its conditions as required by A.R.S. § 40-360.08(A) and R14-3-213(F) of the Arizona Administrative Code.

22. In the event the Applicant, its assignee, or successor, seeks to modify the Certificate terms at the Commission, it shall provide copies of such request to the Boards of Supervisors of Maricopa County and La Paz County, ASLD, AGFD, SHPO, the Town of Quartzsite, BLM, all parties to this Docket, and all parties who made a limited appearance in this Docket.

23. The Applicant shall provide the Commission Staff with copies of the transmission interconnection agreement(s) it ultimately enters into with any transmission provider(s) in Arizona with whom it is interconnecting within thirty (30) days of execution of such agreement(s) or issuance of this CEC, whichever is later, with the summary thereof filed at Docket Control, prior to construction of such facilities.

1           24. The ROD issued by BLM requires Applicant to prepare a Plan of  
2 Development (“POD”). In addition, the Applicant shall prepare and implement a  
3 POD outlining and detailing the relevant design, construction, mitigation, restoration,  
4 and compliance requirements of the ROD, with respect to ASLD and private  
5 landowners in Arizona, for the entirety of the CEC Route in Arizona.

6           25. Applicant shall consult with ASLD and SHPO with respect to cultural  
7 resources. If any archaeological, paleontological, or historical site or a significant  
8 object that is at least 50 years old is discovered on state, county, or municipal land  
9 during the construction of the CEC Route, Applicant or its representative in charge  
10 shall promptly report the discovery to the Director of the Arizona State Museum  
11 (“ASM”), and, in consultation with the Director, shall immediately take all reasonable  
12 steps to secure and maintain the preservation of the discovery, pursuant to A.R.S. §  
13 41-844. Such steps may be accomplished through compliance with the Historic  
14 Properties Treatment Plan (“HPTP”) for archaeological and historical sites developed  
15 pursuant to the Programmatic Agreement (“PA”), and the Paleontological Resources  
16 Monitoring Plan (“PRMP”) for paleontological sites developed pursuant to the ROD.  
17 Once completed, the HPTP and the PRMP shall become part of, and be incorporated  
18 into, this Certificate.

19           26. Applicant shall comply with any HPTP developed pursuant to any PA  
20 entered to ensure that pre-construction archaeological testing and monitoring of all  
21 ground clearing and disturbing construction activities that may affect historical or  
22 cultural sites that are listed or eligible for listing on the Arizona Register of Historic  
23 Places (“Register”) are conducted in full compliance with Arizona and federal law. In  
24 the event a listed or listing-eligible site is discovered, Applicant shall ensure that  
25 approved mitigation measures are implemented according to the PA.

26           27. Before construction of the CEC Route may commence, Applicant shall  
27 file a copy of each of the following documents with the Commission’s Docket  
28 Control: (a) PA; (b) POD; (c) BLM ROD; and (d) APP or equivalent, including any

1 amendments to any of such documents subsequent to the granting of this Certificate.  
2 Notification of such filing with Docket Control shall be made to the Boards of  
3 Supervisors for the Counties of Maricopa County and La Paz County, ASLD, SHPO,  
4 AGFD, all parties to this Docket, and all parties who made a limited appearance in  
5 this Docket. Applicant shall comply with the provisions of these documents as  
6 applicable to the CEC Route.

7 28. Applicant shall construct, operate and maintain all facilities,  
8 improvements and structures in the CEC Route in conformity with all terms,  
9 conditions, and stipulations set forth in the BLM ROD, BLM Notice to Proceed, BLM  
10 Right-of-Way Grant, ASLD Right-of-Way Grant, Central Arizona Project Right-of-  
11 Way Grant, Bureau of Reclamation Right-of-Way Grant (as required), DOD Right-of-  
12 Way Grant, and FAA Hazard Determination.

13 29. Applicant shall publish a copy of this Certificate and the attachments on  
14 Applicant's Project website within 10 days of approval of the Commission.

15 30. The Certificate Conditions shall be binding on the Applicant, its  
16 successors, assignee(s) and transferees and any affiliates, agents, or lessees of the  
17 Applicant who have a contractual relationship with the Applicant concerning the  
18 construction, operation, maintenance or reclamation of the Project. The Applicant  
19 shall provide in any agreement(s) or lease(s) pertaining to the Project that the  
20 contracting parties and/or lessee(s) shall be responsible for compliance with the  
21 Conditions set forth herein, and the Applicant's responsibilities with respect to  
22 compliance with such Conditions shall not cease or be abated by reason of the fact  
23 that the Applicant is not in control of or responsible for operation and maintenance of  
24 the Project facilities.

#### 25 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

26 This Certificate incorporates the following Findings of Fact and Conclusions of  
27 Law:

28 ///

1           1.     The Project aids the state and the southwest region of the United States  
2 in meeting the need for an adequate, economical, and reliable supply of electric  
3 power.

4           2.     The Project aids the state in preserving a safe and reliable electric  
5 transmissions system.

6           3.     During the course of the hearing, the Committee considered evidence on  
7 the environmental compatibility of the Project as required by A.R.S. § 40-360 *et seq.*

8           4.     The Project and the conditions placed on the Project in this Certificate  
9 effectively minimize the impact of the Project on the environment and ecology of the  
10 State.

11          5.     The conditions placed on the Project of this Certificate resolve matters  
12 concerning balancing the need for the Project with its impact on the environment and  
13 ecology of the state arising during the course of the proceedings, and as such, serve as  
14 finding and conclusions on such matters.

15          6.     The Project is in the public interest because the Project's contribution to  
16 meeting the need for an adequate, economical and reliable supply of electric power  
17 outweighs the minimized impact of the Project on the environment and ecology of the  
18 State.

19         DATED this 12<sup>th</sup> day of February, 2020.

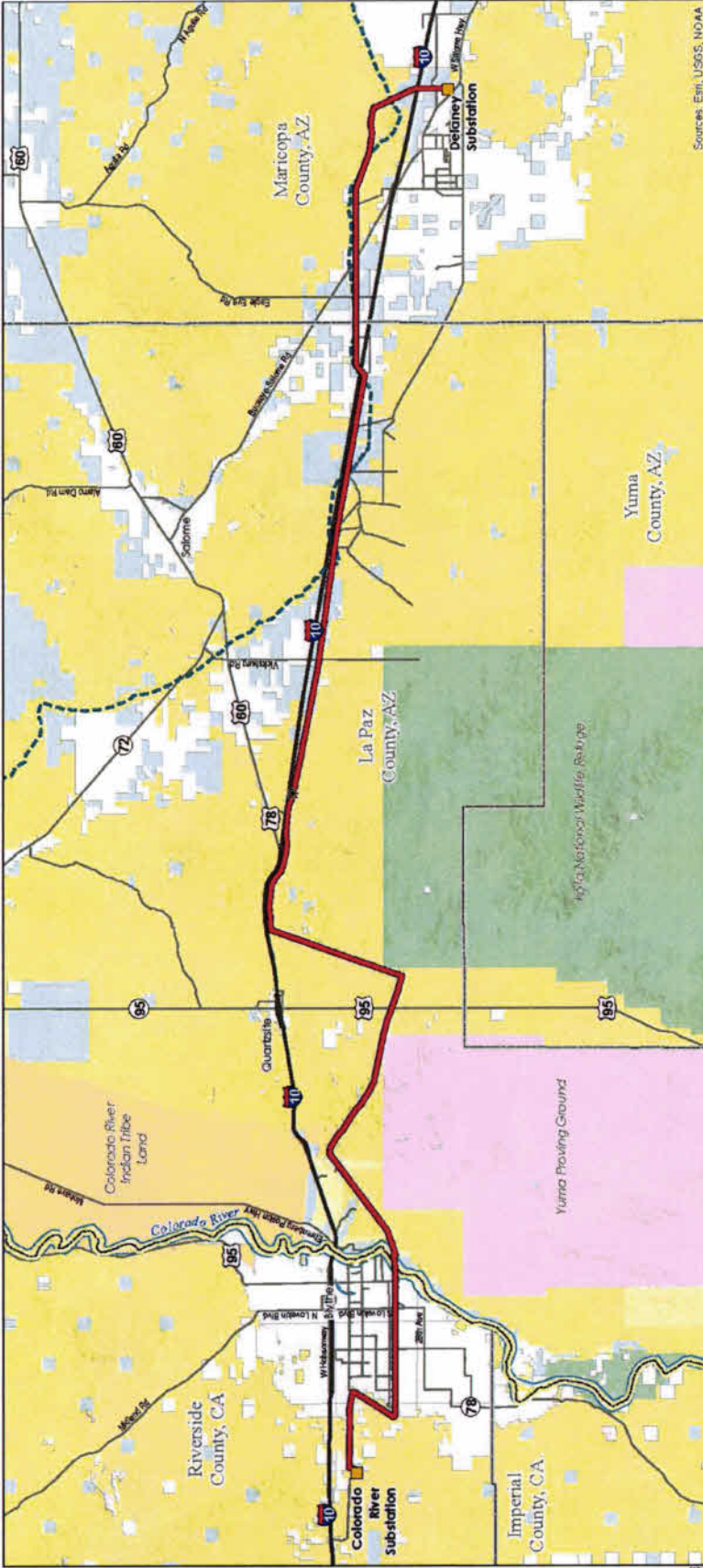
20                                 THE ARIZONA POWER PLANT AND  
21 TRANSMISSION LINE SITING COMMITTEE

22  
23   By:   
24   Thomas K. Chenal, Chairman



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# Exhibit A



Sources: Esri, USGS, NOAA

# Ten West Link 500kV Project



DCR Transmission, LLC

## Land Status

- Bureau of Land Management
- Bureau of Reclamation
- Colorado River Indian Tribe Lands
- County
- Department of Defense
- Private
- State
- USFWS

## Base Features

- Interstate Highway
- Major Road
- CAP Canal
- State Boundary
- County Boundary

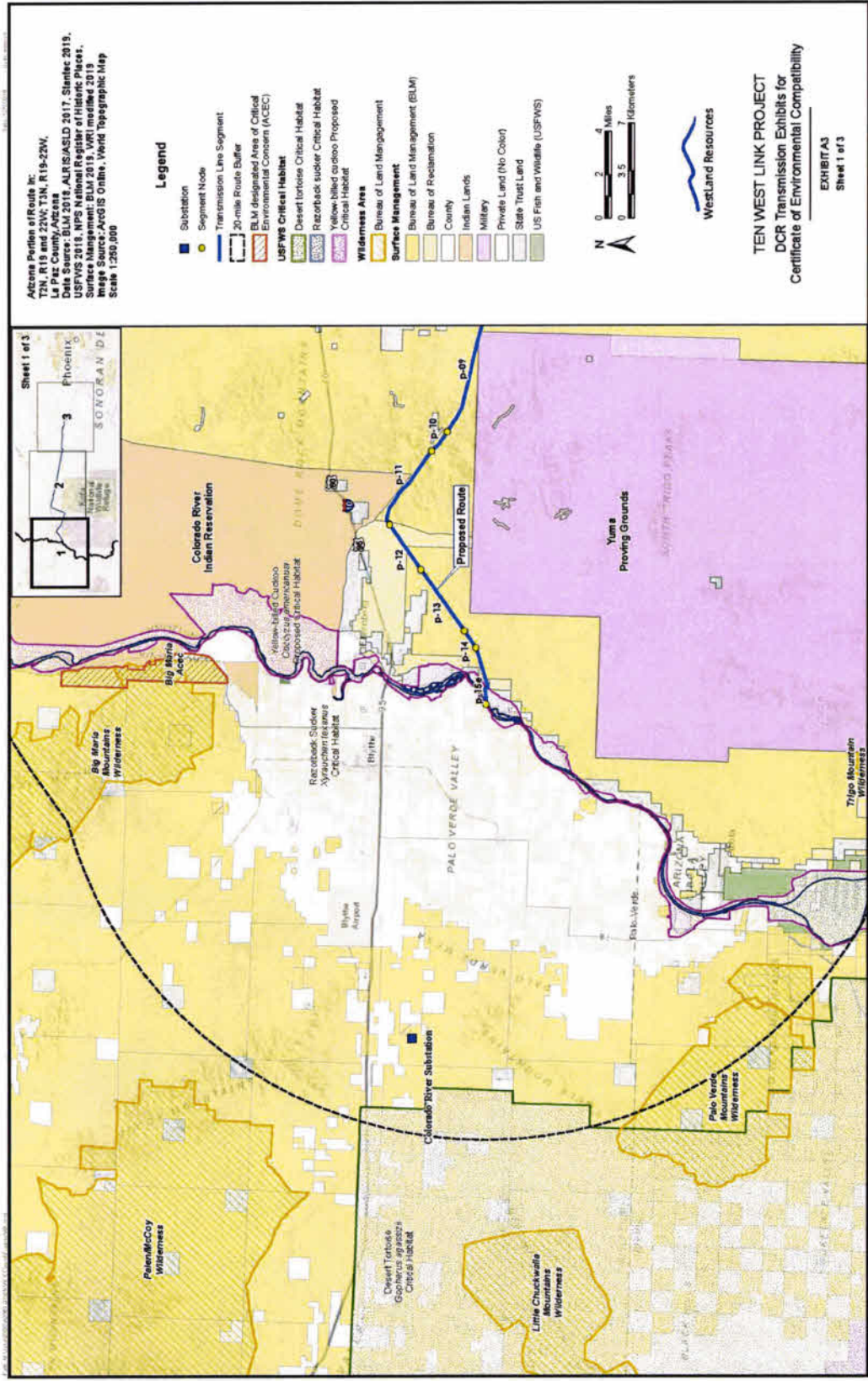
## Project Components

- Substation
- Series Compensation Station
- Project Route



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# Exhibit B



Address: Portion of Route 19, R. 19-22N, T. 19-22N, R. 19-22W, La Paz County, Arizona  
Data Source: BLM 2018, AURIS/ASD 2017, Stanley 2019, USFWS 2018, NPS National Register of Historic Places, Surface Management: BLM 2019, VRI modified 2019  
Image Source: ArcGIS Online, World Topographic Map  
Scale 1:250,000



